

Exhibit D

dailydot
(1)

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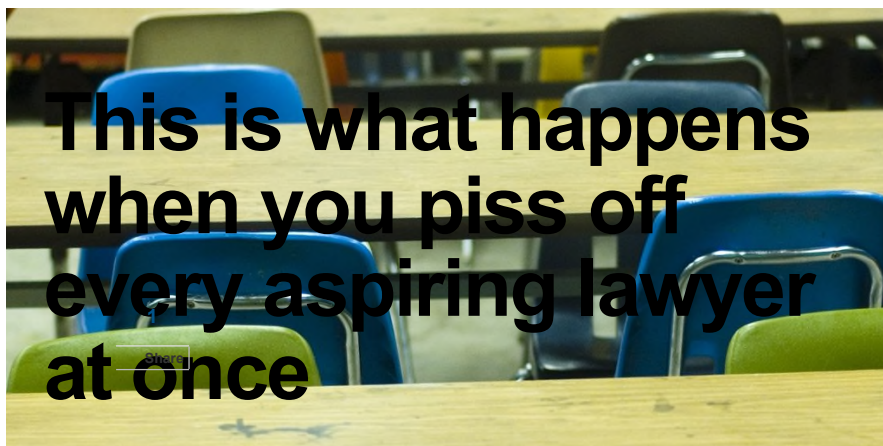
COMMUNITIES



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By Austin Powell (/authors/austin-powell/) (Google+ (https://plus.google.com/+AustinPowell10?rel=author)) on July 30, 2014
Email (mailto:austin@dailydot.com?subject=This%20is%20what%20happens%20when%20you%20piss%20off%20every%20aspiring%20lawyer%20at%20o
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The results of the bar exam won't be available for months, but it's already painfully clear who failed this year: ExamSoft.

The management platform suffered severe technical difficulties Tuesday that prevented thousands of students from uploading their exams upon completion.

The bar examination is the single most-important test in a law student's career. It's required to obtain a license to legally practice law in a given state. Students can suffer through three years of classes and graduate cum laude, but without a passing grade on the bar, all they'd have to show for it is a pile of debt. Most students spend thousands of dollars on bar review prep courses like BARBRI and dedicate months to intense cramming.

In Oregon, students applying for the bar examination in February 2015 must pay \$140 to use the ExamSoft software. The only alternative is to handwrite the essays, which is far more time-intensive and lacks the obvious benefits of word-processing software. Similar arrangements are presumably in place for other states, all of which began administering the test Tuesday.

The two-day, multi-hour test—given only twice a year—is so stressful, in fact, that ExamSoft published (http://blog.examsoft.com/bar-exam-panic-mode/) a guide earlier this month to assist students in “bar exam panic mode.” It instructs students to seek help if feeling emotionally drained and to “take care of the things you can control.”



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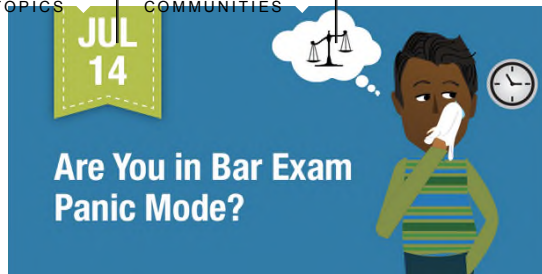
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Now, however, it appears that ExamSoft has only worsened the situation for students.

The company's technical glitch prevented students across the country from uploading their essays Tuesday night. ExamSoft claimed on Twitter (https://twitter.com/ExamSoft/status/494254673830739968) its servers were clogged and recommended that students attempt to manually upload the essays every 30 minutes.

Many of the students affected took to Twitter to vent their frustrations, some dubbing it "barghazi" (https://twitter.com/hashtag/barghazi?src=hash), while others commiserated in online forums (http://www.top-law-schools.com/forums/viewtopic.php?f=41&t=233791).

Here's a small sampling of what happens when you piss off sleep-deprived, anxiety-riddled, soon-to-be-lawyers:



lawvococonut
@Lawvocado

Follow

Friend posted this morning: "we're all in the same boat. Too bad it's the Titanic."

So #ExamSoft is the Titanic, right?

7:31 PM - 29 Jul 2014

11 RETWEETS 14 FAVORITES



Jeff Monahan
@monahan00

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#ExamSoft with the biggest technical SNAFU since the Superbowl lights went out

7:15 PM - 29 Jul 2014

3 RETWEETS 3 FAVORITES



OverWorked, esq
@Barred_inCharge

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You know who failed the bar exam? ExamSoft.
#barexam #examsoft

6:45 PM - 29 Jul 2014

27 RETWEETS 34 FAVORITES



Simon B. Roberts

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School of Doodle is every girl's dream high school

(/entertainment/school-of-doodle-kickstarter/)

At School of Doodle, "exercising your imagination can quite possibly change your life."

By [Audra Schroeder](#)
(/authors/audra-schroeder/) —
July 29, 2014



Are video games leveling up or dumbing down education?

(/lifestyle/education-gamification-classroom-video-games/)

A growing legion of skeptics fear the rush to transform education into a video arcade may be nothing more than a distraction.

By [Aaron Sankin](#)
(/authors/aaron-sankin/) —
March 06, 2014



amifdrle
(/)

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@Huerts31

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Are the folks at [#examsoft](#) the same who did the Obamacare website?

8:07 PM - 29 Jul 2014

12 RETWEETS 14 FAVORITES



Jeff Monahan

@monahan00

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It's hysterical how stressed people are getting about [#ExamSoft](#). Joke's on you - I already failed! [#barprep](#)

7:26 PM - 29 Jul 2014



Lawl Baker

@Lawlbaker

Follow

When you've fucked uploading the bar exam in all fifty states, it's time to stop making state-specific announcements [#examsoft](#)

7:06 PM - 29 Jul 2014

2 RETWEETS 4 FAVORITES

Legal threats have piled up faster than you can say "class-action lawsuit."



Kaitlin Marsh Blake

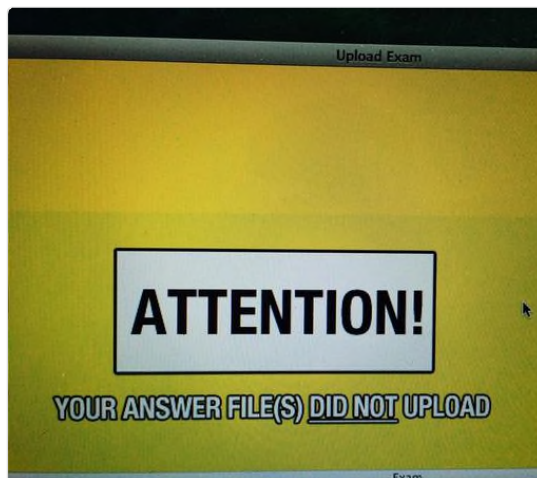
@kaitmmarsh

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Class action lawsuit for intentional infliction of emotional distress? [#examsoft](#)

7:11 PM - 29 Jul 2014 Kansas, USA, United States

2 RETWEETS 8 FAVORITES



Nick Daisy

@NickdaisyDaisy

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Is [#examsoft](#) a tangible good? I need to know whether to pursue my claim under the common law or UCC.

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Simon Roberts
@simonsays927

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@monahan00 "Who do we have to sue around here to get this thing uploaded?" #examsoft

7:51 PM - 29 Jul 2014

3 RETWEETS 3 FAVORITES



Uju O. @Ok_Uju

30 Jul

Lol at that time #examsoft pissed off thousands of soon to be lawyers. With their powers combined, they are... getting around that waiver.



Charlotte Stewart
@carolingua

Follow

@Ok_Uju @barpreplife Adhesion contracts are void as against public policy #examsoft Also, breach of implied warranty of merchantability?

6:42 PM - 29 Jul 2014

2 RETWEETS 6 FAVORITES



Nick Daisy
@NickdaisyDaisy

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Truth is a defense to defamation, right? Ok, good.

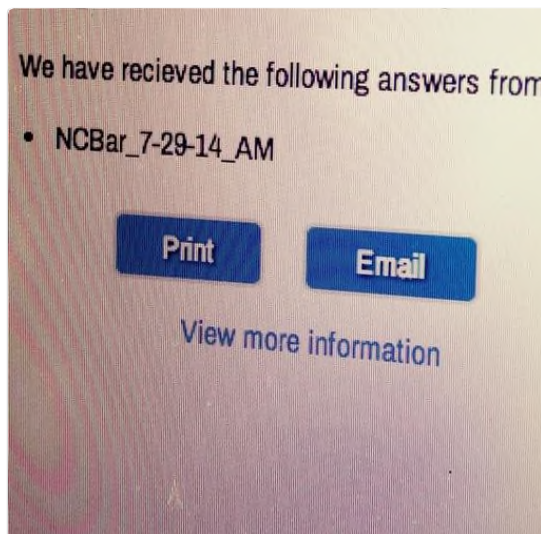
Then let it be known:

#examsoft SUCKS.

#barexam2014

6:28 PM - 29 Jul 2014

Even when the software worked as intended, it still managed to fall short:



Satie
@satiem

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Hey @examsoft you spelled "received" wrong. #examsoft



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ExamSoft has been in damage control for hours. It offered a hashtagged apology and pledged to post real-time updates about “possible extensions,” the keyword being “possible.” So far, students in Oklahoma, Tennessee, Pennsylvania, West Virginia, Maryland, New York, Ohio, and Missouri have been granted extensions. The status for students in states like Oregon, however, remains unclear.



ExamSoft
@ExamSoft

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Hey #barexam takers - we hear you and apologize for the uploading issues. We're posting all new news in real-time re: possible extensions

8:05 PM - 29 Jul 2014



ExamSoft
@ExamSoft

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If SoftTest has stopped trying to automatically upload, your answers are still on your computer - not gone. #barexam

7:09 PM - 29 Jul 2014

11 RETWEETS 1 FAVORITE

Truly, hell hath no fury like a batch of potential lawyers scorned.

ExamSoft did not respond to a request for comment at press time, and its customer service line has been busy for hours.

Photo by frankjuarez

(<https://www.flickr.com/photos/frankjuarez/>)/Flickr (CC BY-SA 2.0)

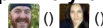
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(<http://livefyre.com>)

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Leslie H. Mccurdy (<http://www.facebook.com/profile.php?id=1708348613>)

(<http://www.facebook.com/profile.php?id=1708348613>)

6 days ago

Oh poor poor aspiring useless appendages....

Like Reply



Sergio Cortes (<http://www.facebook.com/profile.php?id=781729273>)

(<http://www.facebook.com/profile.php?id=781729273>)

6 days ago

Good thing I'm a theater/marketing major lol

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Luke Garrett (<http://www.facebook.com/profile.php?id=202700227>)
(<http://www.facebook.com/profile.php?id=202700227>)

6 days ago

If that happened to me after the texas bar
I think my heart would have exploded.
After New Mexico's I could have been
patient but still angry. Not angry enough
to twatter about it though.

Like Reply



Michael Sowell (<http://www.facebook.com/profile.php?id=1004621698>)
(<http://www.facebook.com/profile.php?id=1004621698>)

6 days ago

What? Is there a lawyer shortage or something?

1 Like Reply



Josh Hammons (<http://www.facebook.com/profile.php?id=100000747138163>)
(<http://www.facebook.com/profile.php?id=100000747138163>)

6 days ago

Thankfully I took it in February and not
now

Like Reply



James Ragain (<http://www.facebook.com/profile.php?id=513331516>)
(<http://www.facebook.com/profile.php?id=513331516>)

6 days ago

Open book test.

Like Reply



Remmy Vazquez (<http://www.facebook.com/profile.php?id=750569080>)
(<http://www.facebook.com/profile.php?id=750569080>)

6 days ago

What do you mean? They meant the answers
people have put as their choice. Not a key.

Like Reply



Simon

6 days ago

wait, this is a good news stories:

there are slightly fewer lawyers than there would be
if examsoft hadn't f*cked up.

Like Reply



James Ragain (<http://www.facebook.com/profile.php?id=513331516>)
(<http://www.facebook.com/profile.php?id=513331516>)

7 days ago

"The answers are still on your computer". Direct
quote from the company. Every person that does
not get 100% now is lazy.

Like Reply



Andrew Kotcher (<http://www.facebook.com/profile.php?id=546702535>)
(<http://www.facebook.com/profile.php?id=546702535>)

7 days ago

Aww how can you feel bad about pissed off
lawyers? They are ruining america , not all but
enough.

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Travis Britton (<http://www.facebook.com/profile.php?id=1591260072>)
(<http://www.facebook.com/profile.php?id=1591260072>)
id=1591260072) 7 days ago

Yeah, I had a lot of friends who couldn't get uploaded. Also, WV bar had a fire alarm right before the exam started haha

Like Reply



John Kitchings (<http://www.facebook.com/profile.php?id=100000076292522>)
(<http://www.facebook.com/profile.php?id=100000076292522>)
(<http://www.facebook.com/profile.php?id=100000076292522>)
id=100000076292522) 7 days ago

Emm, that's sadistic. After all that studying and wok for three years and then you have a technical glitch. I'm soo old Emm that in 1986 when I took it, manual was the only option for submission. LOL! I write faster than I type, thank God I'm a dinosaur. There's nothing worse than a recent law graduate they think that they know everything. I can't understand why students are walking around with test books, we had to turn ours in at the same time when they clock expired. Eight hours of writing essay answers, sheesh. I don't miss it.

Like Reply



Joel JoJo Maiuri (<http://www.facebook.com/profile.php?id=100000216355299>)
(<http://www.facebook.com/profile.php?id=100000216355299>)
(<http://www.facebook.com/profile.php?id=100000216355299>)
id=100000216355299) 7 days ago

I somehow read that as "Just wait until you see these pissed off twats"

Like Reply



Mike Leavy (<http://www.facebook.com/profile.php?id=100001411596317>)
(<http://www.facebook.com/profile.php?id=100001411596317>)
(<http://www.facebook.com/profile.php?id=100001411596317>)
id=100001411596317) 7 days ago

GOOD!

Like Reply



Emmett Sims (<http://www.facebook.com/profile.php?id=685081572>)
(<http://www.facebook.com/profile.php?id=685081572>)
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John your thoughts, Counselor?

Like Reply



Jennifer Dennis (<http://www.facebook.com/profile.php?id=1266764085>)
(<http://www.facebook.com/profile.php?id=1266764085>)
(<http://www.facebook.com/profile.php?id=1266764085>)
id=1266764085) 7 days ago

Oh my

Like Reply



Courtney Young (<http://www.facebook.com/profile.php?id=9606668>)
(<http://www.facebook.com/profile.php?id=9606668>)
(<http://www.facebook.com/profile.php?id=9606668>)
id=9606668) 7 days ago

On Facebook

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Oh. Muth. Gawd. I would be flipping the hell out.
ExamSoft is a joke and has been stressing out law
students since their first 1L final. Seriously hoping
this somehow didn't happen to all my friends
taking the bar!

Like Reply



Yegor Rowan (<http://www.facebook.com/profile.php?id=1092847700>)

(<http://www.facebook.com/profile.php?id=1092847700>)

7 days ago

That's disgusting.

Like Reply



Bill Reiland (<http://www.facebook.com/profile.php?id=1391691197>)

(<http://www.facebook.com/profile.php?id=1391691197>)

7 days ago

That sucks!

Like Reply



Stacy Burr Norton (<http://www.facebook.com/profile.php?id=1098639644>)

(<http://www.facebook.com/profile.php?id=1098639644>)

7 days ago

Horror story. I'm sleeping with the light on tonight.

Like Reply



Gavin Pearce (<http://www.facebook.com/profile.php?id=1053447021>)

(<http://www.facebook.com/profile.php?id=1053447021>)

7 days ago

They should be stressed. Their getting a license to
take more per hour than should be legally allowed
for being often incompetent. The bar should be
more difficult. Just my opinion.

Like Reply



Dasha Kr

6 days ago

Have you taken the bar exam? Do you have
any clue what you're talking about? Unless
you took the exam and passed it, you don't
get to say anything about how much more
difficult it should be.

2 🗨️ 👍 0 Like Reply



Katie C.

6 days ago

(1) The legal field is a highly specialized
area of work. We -- meaning lawyers and
law students (I'm speaking as one of the
unfortunate people who encountered the
exam upload failure) have people's financial
lives in our hands in many cases and
sometimes, their literal, breathing LIFE.
Why in the world should we be paid less
than a doctor? Which, btw, we are.

(2) One "billed" hour, if done ethically and
accurately can actually be well over an hour
in real time. For example, I am NOT
ALLOWED to charge a client for the time I
spend researching a new area of law





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because a seasoned vet attorney wouldn't have to. So, you actually get way more service than you pay for.

(3) One hour's worth of fees will not cover the cost of one book for most beginning attorneys. The books that we desperately need to properly concur research for unappreciative clients, such as yourself. Further, most attorneys can make one student loan payment off of that one hour they billed you for.

(4) Many cases are based on contingency fees. This means that an attorney can work on a case for literally 500 hours and never see a dime for it.

(5) You certainly always have the option to not see help from an attorney. The bar exam questions come from idiots that "knew it all" and ultimately just, messed it all up. Go ahead. Please go fail to record a deed so there is one more MBE question for me, and you are forced to go put some money in a struggling attorney's pocket.

Signed,

Someone who was almost homeless because people don't see the worth until they've screwed up, and can't afford help when they realized how epically up shot creek they truly are.

Like Reply



Katie C.

6 days ago

0 And *can't make a single payment off of one hour billed.

Like Reply



Doug Hall (<http://www.facebook.com/profile.php?id=100007875098836>)
(<http://www.facebook.com/profile.php?id=100007875098836>)

7 days ago

Wow

Like Reply



Bryan Perryman Sr. (<http://www.facebook.com/profile.php?id=100000539424247>)
(<http://www.facebook.com/profile.php?id=100000539424247>)

7 days ago

Pissed tweets? Gross....

1 Like Reply




Stephanie Bollar (<http://www.facebook.com/profile.php?id=100006386700311>)
(<http://www.facebook.com/profile.php?id=100006386700311>)

7 days ago

Damn shame

Like Reply






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Jeff Schwartz (<http://www.facebook.com/profile.php?id=617948247>)
7 days ago

Danny Katz your my go to legal analyst. does this mean they all have to retake the bar? And did your buddy have this issue the other day?

Like Reply

Katie C.
6 days ago

No. Apparently our essays are hidden in a magical folder somewhere on each, individual computer. In the event that we are not able to upload, our computers will be raised by IT guys, and the exams will be pieces together. Even if pulled from computer in bits of binary.

Like Reply

Crystal Penrose (<http://www.facebook.com/profile.php?id=603976360>)
7 days ago

Yeah as if they aren't all stressed enough as it is.

1 Like Reply

Steve Antunez (<http://www.facebook.com/profile.php?id=100002767467383>)
7 days ago

Smh

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(/lifestyle/pass-out-challenge/)

(/lol/apparently-kid-noah-ritter-interview/)

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This time-lapse of a mom putting her twin boys to bed is the world's best birth control

(/lol/mom-twins-bed-time-lapse-video/)

By Michelle Jaworski () — August 04

7.9k

And you thought one child was

The pass-out challenge has teens knocking themselves out on purpose

(/lifestyle/pass-out-challenge/)

By Ikenna Anyoku () — August 04

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Teens are embracing a new and

'Apparently Kid' steals the show during local county fair interview

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By Michelle Jaworski () — August 05

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He's already more exciting than

LATEST (/LATEST/)

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A 'second Snowden' is leaking secret U.S. documents

(/politics/us-new-national-security-leaker-edward-snowden/)

August 05

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(/crime/ddos-real-time-map-world/)

This map lets you watch DDoS attacks in real time

(/crime/ddos-real-time-map-world/)

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Apple's iPhone 6 will be unveiled Sept. 9

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August 05

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(/esports/evil-geniuses-super-week-lcs-dream/)

A look back at Evil Geniuses' 'dream' Super Week

(/esports/evil-geniuses-super-week-lcs-dream/)

It was a disappointing season. But this week, Evil Geniuses' were on a mission to have their first ever perfect superweek.

By William Turton () — August 05

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Scientists are live-tweeting a major fossil dig in Wyoming

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Watch a fossil dig from the comfort of your

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The science and art of mathematically perfect bagel cutting

(/geek/mathematics-of-bagel-cutting/)

July 30

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(/geek/ant-man-janet-van-dyne/)

Marvel unceremonious snuffs out female founding member of Avengers team

(/geek/ant-man-janet-van-dyne/)

July 30

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Sean Bean reveals more clues about Jon Snow's parents on 'Game of Thrones'

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Bill Manto: Guardians of the Galaxy screening

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(/geek/bill-manto-guardians-of-the-galaxy-screening/)

Star Wars: Rebels expended preview

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computer.
(/)

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By [Missa Fessenden \(/\)](#) — August 05

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South Korea is developing a super-strong robotic exoskeleton 7

Marvel holds private 'Guardians of the Galaxy' screening for Rocket 8

You can watch the first 7 minutes of 'Star Wars: Rebels' right now 18

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